

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

Criminal Action No.
18-00293-01/03-CR-W-DGK

GERALD L. GINNINGS,
TREVOR SCOTT SPARKS, and
MARKUS MICHAEL A. PATTERSON,

Defendants.

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

PENDING CHARGES:

- Count One - Defendants Ginnings, Patterson
Conspiracy to Distribute Methamphetamine, *in violation of* 21 U.S.C. §§841(a)(1), (b)(1)(A) and 846
- Count Two - Defendants Ginnings, Sparks, Patterson
Conspiracy to Commit Money Laundering, *in violation of* §§ 1956(a)(1)(A)(i), (B)(i)(ii) and (h)
- Count Three – Defendant Sparks
Continuing Criminal Enterprise, *in violation of* 21 U.S.C. §§848(a)(b)(c) & (s)
- Count Four - Defendants Ginnings, Sparks, Patterson
Possession of Firearms in Furtherance of Drug Trafficking Crimes, *in violation of* 18 U.S.C. § 924(c)(1)(A)(i)
- Count Five - Defendants Ginnings, Sparks, Patterson
Felon in Possession of Firearms and Ammunition, *in violation of* 18 U.S.C. §§922(g)(3) and 924(a)(2)

TRIAL COUNSEL:

Government: Bruce Rhoades & Robert Smith; Scott Hamann will assist

Case Agent: No case agents will be seated at counsel table.

Defendant Ginnings: Dan Herrington & Garrett Hunkins

Defendant Sparks: Al White & Blade Moore

Defendant Patterson: Shazzie Naseem

OUTSTANDING MOTIONS: Defendant Sparks' Motion in Limine to Exclude Evidence of Uncharged Crimes (Doc. 679); the Government responded on 10/18/22 (Doc. 701)

Defendant Sparks' Motion in Limine to Exclude Co-Defendant Statements (Doc. 680)

ANTICIPATED MOTIONS: None

TRIAL WITNESSES:

Government: 60 with stipulations; up to 75 without stipulations (*witness list previously filed at Doc. 678*)

Defendant Ginnings: less than 5 witnesses; Defendant will not testify

Defendant Sparks: less than 5 witnesses; Defendant may testify

Defendant Patterson: less than 5 witnesses; Defendant may testify

TRIAL EXHIBITS:

Government: less than 125 exhibits (*exhibit list previously filed at Doc. 677*)

Defendant Ginnings: less than 50 exhibits

Defendant Sparks: 20 exhibits

Defendant Patterson: no additional exhibits

DEFENSES:

Defendant Ginnings:

☒ defense of general denial

☐ defenses of general denial and _____

Defendant Sparks:

☒ defense of general denial

☐ defenses of general denial and _____

Defendant Patterson:

☒ defense of general denial

☐ defenses of general denial and _____

POSSIBLE DISPOSITION:

Defendant Ginnings:

☐ Definitely for trial

☒ Possibly for trial

☐ Motion to continue to be filed

☐ Likely a plea will be worked out

Defendant Sparks:

☒ Definitely for trial

☐ Possibly for trial

☐ Motion to continue to be filed

☐ Likely a plea will be worked out

Defendant Patterson:

☒ Definitely for trial

☐ Possibly for trial

☐ Motion to continue to be filed

☐ Likely a plea will be worked out

TRIAL TIME: The parties estimate 9-12 days, but will make every attempt to try the case in the 8 scheduled courtroom days (See Doc. 699).

Government's case including jury selection: 7-10 days

Defendant Ginnings' case: less than 1 day

Defendant Sparks' case: ½ day

Defendant Patterson's case: ½ day

STIPULATIONS:

Defendant Ginnings:

- ☐ not likely
- ☐ not appropriate
- ☒ likely as to:
 - ☒ chain of custody
 - ☒ chemist's reports
 - ☐ prior felony conviction
 - ☐ interstate nexus of firearm
 - ☒ other: foundation

Defendant Sparks:

- ☐ not likely
- ☐ not appropriate
- ☒ likely depending on what is proposed by the Government

Defendant Patterson:

- ☐ not likely
- ☐ not appropriate
- ☒ likely as to:
 - ☒ chain of custody
 - ☒ chemist's reports
 - ☐ prior felony conviction
 - ☐ interstate nexus of firearm
 - ☒ other: foundation

UNUSUAL QUESTIONS OF LAW: Although not necessarily unusual, all parties agreed that Defendant Sparks' motion in limine regarding uncharged crimes of violence (Doc. 679) is significant and involved.

FILING DEADLINES:

Witness and Exhibit Lists:

Government: October 21, 2022

Defense: October 21, 2022

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: October 21, 2022
Jury instructions must comply with Local Rule 51.1

Motions in Limine: October 21, 2022

Any responses to the above filings shall be filed no later than October 26, 2022

TRIAL SETTING: Criminal jury trial docket commencing November 1, 2022

OTHER:

() A _____-speaking interpreter is required.

() Other assistive devices: _____

IT IS SO ORDERED.

/s/ Jill A. Morris
JILL A. MORRIS
United States Magistrate Judge